

Atlantic Rim Natural Gas Development Project
Catalina PODs G&I
Summary of Comments to the EA
and BLM Responses

Comments received from:

National Wildlife Federation

Comment NWF-1 – The BLM cannot properly tier the Catalina EA to the Atlantic Rim Environmental Impact Statement and Record of Decision.

Response - The Catalina PODs G&I Environmental Assessment (EA) is tiered to the Atlantic Rim Final Environmental Impact Statement (AREIS) and Atlantic Rim Project (ARP) Record of Decision (ROD) as provided for in the BLM's H-1790-1 - National Environmental Policy Act Handbook and Council of Environmental Quality Regulations at 40 CFR 1508.28 and 40 CFR 1502.20.

Comment NWF-2 - The BLM has failed to comply with many provisions of the Atlantic Rim Record of Decision, rendering those provisions ineffective.

Response - This comment is outside the scope of the Catalina PODs G&I EA.

Comment NWF-3 – The AREIS and ROD do not discuss all significant environmental Impacts.

Response - Thank you for your comment but this comment is outside the scope of this EA. The Catalina PODs G&I EA addresses site-specific effects of the proposal tiered to the AREIS and ROD. The BLM, through the Catalina PODs G&I EA, did not identify any significant impacts not addressed in the AREIS.

Comment NWF-4 - The agency should take the results of these studies into account when determining whether the new Catalina PODs will have adverse environmental impacts beyond those discussed in the ROD. Attached are four studies that are relevant to wildlife management decisions within the ARPA.

Response - The BLM takes into account all relevant science, including the documents you attached, in predicting the environmental effects of the actions proposed. In this EA, the BLM evaluated three new mitigation measures designed to reduce impacts to mule deer and their habitat. Driven by newer science, the three measures are based on the results of wildlife monitoring and consultation with the Wyoming Game and Fish Department. As disclosed in the Decision Record these measures were partially adopted and partially not adopted.

Comment NWF-5 - This new data is especially important for the BLM to consider because Catalina POD G from Double Eagle's proposal is located entirely within the mule deer winter range.

Response - All the wells of POD G and 4 wells from POD I are located within mule deer crucial winter range. No wells in POD G and 8 wells in POD I are located in antelope crucial year round range. The BLM has taken into account the nature and location of the PODs relative to big game habitats (see Wildlife Resources section of the EA). As discussed within the AREIS, significant impacts are reasonably foreseeable to mule deer in the ARP area and as disclosed in the EA the PODs G&I proposal will contribute to those effects. In addition to the mitigations, best management practices, operator committed practices detailed in the AREIS and ROD, General Design Features found in appendices 1,2,3 and 4 of the EA are measures the RFO is implementing to reduce or eliminate adverse impacts to the area.

Comment NWF-6 - However, we believe the entire document would be useful to BLM in analyzing the impacts on the Greater Sage-grouse in the ARPA, as well as in analyzing the POD applications.

Response - The effects of the project, including its location relative to Greater sage-grouse habitat core areas is discussed in the Wildlife Resources section of the EA. The project is consistent with current BLM, State of Wyoming and U.S. Fish and Wildlife Service direction and policy, as discussed in the EA. The BLM has incorporated the findings of the annual monitoring currently being conducted under the mandates of the AREIS ROD. BLM has incorporated appropriate design features into the project proposal and have mitigated impacts to the extent possible. Please see the EA and appendices for a full description of impacts and mitigation measures applied to this project.

Comment NWF-7 - The ROD was adjudged to be consistent with the RMP only because it contains a detailed and effective mitigation strategy, which was intended to ensure that the significant environmental impacts of the project would be rendered insignificant.

Response - The ARP ROD is consistent with the Rawlins RMP (RRMP). Changes in the RRMP that were not incorporated or differ from the provisions of the Atlantic Rim ROD are incorporated into the Catalina PODs G&I EA. In TRCP v. Salazar, the AREIS and ROD were found in full conformance with the requirements of NEPA. The ROD did not find that the significant effects anticipated from approval of the project could be mitigated away to insignificance by mitigation.

Comment NWF-8 - As discussed above, the BLM has not carried out the adaptive management plan, which is a significant part of the ROD's mitigation strategy.

Response - This comment is outside the scope of the Catalina POD G&I EA. There is no adaptive management plan to carry out from the ROD. The ROD describes an adaptive management process (ARP, ROD; page 20) but contains no provisions for an adaptive management plan or program, whatever that might be. Please refer to our response to Comment 3 above.

Comment NWF-9 –Because the AREIS and ROD fail to sufficiently list and analyze all significant environmental impacts and because the ROD's mitigation measures are not yet implemented, the BLM should have undertaken a full environmental impact analysis in its NEPA documents for the new Catalina PODs.

Response - IN TCRP v. Salazar the BLM was affirmed in the adequacy of the AREIS and ROD. This EA discloses, and mitigates where possible, the expected impacts from this project at a site-specific level. Please refer to the Cumulative Impacts section of the EA disclosing the levels of development as they relate to the AREIS.

Comment NWF-10 - The EA was erroneous in assuming that reclamation can be relied upon as a primary mitigation measure.

Response - The EA did not assume reclamation is the primary mitigation measure. The EA is tiered to the AREIS which contains an extensive suite of provisions for reclamation. The appendices in the back of the EA contain a full suite of detailed site-specific mitigation measures that will be used to mitigate the effects of the proposal and to meet the objectives of the AREIS ROD and the RRMP. Reclamation is a crucial element of the EA but is not a “primary mitigation measure”. Appendices in the AREIS and ROD also contain detailed mitigation measures, Operator Committed Practices and best management practices to reduce or avoid the environmental effects of development.

Comment NWF-11 - operators within the ARPA, especially Double Eagle, have had little success with reclamation.

Response -BLM has reviewed Double Eagle Petroleum Company's (DEPC) February, 2011 reclamation monitoring report and other materials supplied to the RFO as part of their annual reclamation reporting. The February report details the results of DEPC's 2010 reclamation monitoring on disturbed sites. DEPC tracks reclamation by linear features (roads, pipelines, and other utilities) and polygons (well pads, compressor stations et cetera). For linear features in 2010, 80% of the monitored areas were already reclaimed to better than 50% reference canopy cover. 54% of the areas were reclaimed to greater than 70% reference site canopy. DEPC visits all disturbed sites at least annually and has plans prepared to correct reclamation deficiencies based on their monitoring results.

Comment NWF-12 - There are many examples of well pads, pipeline tracks, and other disturbed areas that remain completely bare or have been taken over by invasive weeds.

Response -DEPC has reclaimed disturbed sites for their operations at Atlantic Rim. There are few, if any, bare areas in the area. DEPC has instituted an aggressive weed management program in the area. Surveys have shown that about 9% of the disturbed area had 10% or greater noxious weed canopy cover. The most prevalent noxious weed in the area is Halogeton glomeratus. Halogeton existed in the area prior to oil and gas development and still exists in 10% of the adjacent undisturbed areas in the ARP.

Comment NWF-13 - reclamation, the mitigation technique designed to cope with this problem, has either failed or has not been enforced. This failure undoubtedly results in environmental impacts that the BLM needs to analyze when considering DEPC's proposal.

Response -In those areas where reclamation has not been fully successful the first time, DEPC is required to re-seed and manage weeds based on monitoring reports until reclamation success has been established. As stated earlier there are very few bare areas. Reclamation has been generally successful but there are areas that require more work. One such example is an area near an existing water source. The presence of water draws in livestock which results in intensive grazing of the reclaimed vegetation. Using the adaptive management process, DEPC has proposed to fence off the water source, and then to establish and move around a man made water source in the immediate area to keep livestock from over grazing the new vegetation and causing reclamation failure. The area of intensive grazing will be re-seeded and weeds controlled as appropriate with the response monitored and reported to the BLM.

Comment NWF-14 - While the EA claims that this reclamation could actually create beneficial habitat for the Sage-grouse, it does not consider the impact to the Sage-grouse if the reclamation does not happen or does not work.

Response - The EA states in Wildlife Resources section (page 41, 3rd paragraph) that:

“The average width of a pipeline ROWs does not preclude movement of grouse and depending on reclamation success, can lead to beneficial edge habitat where grouse can congregate to feed on insects, green shoots and forbs.”

Reclamation efforts at the Catalina PODs G&I will occur, just as it has in the past on other DEPC developments. Reclamation will be successful or follow-up activities will ensure soil stabilization and beneficial vegetation is established. The National Environmental Policy Act (NEPA) does not require the analysis of the worst case scenario.

Comment NWF-15 - The Sage-grouse analysis also relies on successful reclamation to create beneficial habitat, specifically in areas that will be temporarily disturbed to build an underground pipeline.

Response - Please refer to our response to comment NWF-14, above.

Comment NWF-17 - Specifically, Double Eagle has failed to provide the BLM with Annual Operating Plans, Final Annual Reports, or adequate Annual Disturbance Reports, and has failed to conduct any wildlife monitoring studies or surveys.

Response – DEPC has supplied BLM with Annual Operating Plans including Final Annual Reports acceptable to the RFO, at the annual Atlantic Rim Review Team meetings. BLM understands that DEPC has been a full and equal participant in the wildlife monitoring and other environmental monitoring efforts at ARP. We respectfully refer you to the following website which provides all documents from Review Team presentations:

“http://www.blm.gov/wy/st/en/field_offices/Rawlins/AtlanticRim.html”.

Double Eagle has submitted annual reclamation monitoring reports every year they have been required for Atlantic rim.

Comment 1 NWF-18 - Additionally, Double Eagle might be responsible for some of the failed reclamation examples we have observed in the area. The BLM should require Double Eagle's compliance with current development projects before allowing additional wells to be permitted and/or drilled.

Response - BLM is unaware of "failed" reclamation at Atlantic Rim. While there have been a limited number of areas where reclamation has not been immediately fully successful, the companies have been uniformly successful in using adaptive management techniques to establish vegetation and stabilize sites at Atlantic Rim. These activities are on-going and will last the life of the project. Monitoring of successfully reclaimed sites is required to continue for at least 5 years after rollover approval from the BLM.

Comment NWF-19 - Such past behavior has an environmental impact when, in order to have a FONSI, mitigation measures must be taken by the company. The reclamation problems outlined above are a key example. It is not clear to us whether Double Eagle is itself responsible for the poor examples of reclamation we have observed in the area.

Response - BLM is aware that some areas that have needed re-seeding and repeat weed control. These areas are identified by annual reclamation monitoring and deficiencies are addressed. Areas where reclamation is not fully successful are being dealt with using reclamation adaptive management and/or techniques known to be successful.

Comment NWF-20 - However, because it could be Double Eagle, and because reclamation is one of the mitigation measures in the EA that the BLM relies upon to issue the FONSI, the BLM should determine whether Double Eagle is the culprit.

Response - Without specifics of locations, BLM cannot respond accurately. If NWF cares to bring a specific site, with its location, to our attention we will review the site and determine what, if anything needs to happen on the site. Please refer to our response to NWF-19 above.

Comment NWF-21 - If, for example, every instance of failed and non-existent reclamation can be attributed to Double Eagle, it would be arbitrary and capricious for the BLM to rely on successful reclamation by Double Eagle in their decision-making process, especially considering the adaptive management process the agency has been relying on in its analysis.

Response - The BLM has observed, and the companies have reported limited areas where initial reclamation wasn't immediately fully successful. Subsequent efforts by the companies to ensure successful reclamation have been used to successfully reclaim those sites.

Comment NWF-22 - We formally request that the BLM take the following actions with regard to NEPA compliance:

Await the amendment of the RRMP before completing or amending any NEPA documents associated with the ARNGP. Do not approve any PODs before such documents can be finalized.

Response - The ARP ROD was written in conformance with the Great Divide RMP that was in place at the time. When an RMP amendment or revision is completed, the provisions of the AREIS and ROD will be reviewed to ensure conformance with the new ROD. The site-specific Catalina PODs G&I EA will comply with all the RRMP provisions that are in effect at the time of the decision for the EA.

Comment NWF-23 - Complete a Supplementary Environmental Impact Statement to accompany the AREIS and amend the EA for Catalina PODs G&I to conform to this SEIS or, in the alternative, vacate the Finding of No New Significant Impact and complete an EIS for the Catalina PODs G & I.

Response - Your comment is outside the scope of the EA. No supplemental EIS is necessary. The Atlantic Rim ROD is in full effect and the Catalina PODs G&I properly tier to the ARP ROD.

Comment NWF-24 - Ensure that Double Eagle Petroleum Company is willing to and capable of complying with its responsibilities under the ROD on its existing PODs before approving any additional PODs for this company.

Response - DEPC has been willing and capable, and indeed has complied with, its responsibilities under the ROD.

Comments received from:

Wyoming Game and Fish Department

Comment WGFD-1 - The EA provides maps of the road networks associated with PODs G&I, but no information is presented summarizing existing road networks associated with gas field development in the ARPA to date. We recommend that a map of existing new roads associated with earlier POD development activities be included in the EA.

Response - The BLM RFO has included this data in the errata portion of the Decision Record. Existing road system information can be found in the AREIS, volume 2, appendix M. Roads approved under interim drilling and POD proposals subsequent to the ROD can be found on the internet at:

http://www.blm.gov/wy/st/en/info/NEPA/documents/rfo/atlantic_rim/ea.html

Comment WGFD-2 - We recommend that this data should be analyzed in the EA relative to the well pads, road networks, and access routes for PODs G&I.

Response - The effects of PODs G&I construction on big game migration corridors and crucial winter range are detailed throughout the wildlife portion of the EA, pages 34 to 44 of the EA including maps 7, 8, 9 and 10. The additional mitigation measures listed on pages 45 through

47 are proposed performance requirements (from the AREIS, page 21) for consideration and discussion. Map 12 in the errata specifically addresses this recommendation.

Comment WGFD-3 - We recommend including maps in the EA should depicting Sawyer's color-coded migration corridor polygons overlaid by the proposed access roads, road networks and the well pads proposed for PODs G&I under both the PA and Alt A.

Response - Map 12 in the errata specifically addresses this recommendation.

Comment WGFD-4 - We suggest initiation of appropriate field studies (for pronghorn) to identify these routes and determine their importance so that information can be used in the development of this field. Without these kinds of data, it will not be possible to determine if the Performance Goals for Big Game Migration Routes and Big Game Crucial Winter Ranges, as laid out in the ARPA ROD on p. 19, are being achieved.

Response - The BLM will continue to conduct long-term mule deer and antelope collaring studies, as funding allows. These studies will be intended to monitor mule deer, antelope and elk responses to development activities in migration corridors, crucial winter range and crucial year long ranges. Funding for wildlife and habitat monitoring may be obtained from BLM appropriations, in collaboration with cooperating or interested agencies, from the voluntary participation of the Operators, or from outside sources that may have an interest or desire to participate, or from a combination of these sources. The Atlantic Rim Big Game Monitoring Group (BGMG) has been instructed to prepare and implement studies to develop baseline pronghorn migration routes and habitat usage and mule deer migration and habitat use monitoring.

The predicted development rate from the AREIS was 210 new wells/year and ancillary facilities for the first five years of development, then gradually dropping down to 25 wells/year by the last year of development, 2026 (AREIS page 2-3). Through 2011 the AREIS predicted up to 1,250 wells to be drilled, and the effects of the proposal were estimated at that intensity. To date the ARP has had 430 wells drilled, or approximately 1/3 of the estimated development level. Adding in the Catalina PODs G&I's 51 wells would show an approval level of 38% of the projected rate.

The ROD, on page 20 states in part:

“Operators are responsible for demonstrating successful achievement of Performance Goals. Early efforts are to be made to collect or consolidate resource data to form a baseline against which future monitoring efforts and data would be compared to indicate trends. In the absence of sufficient data illustrating Operator achievement of Performance Goals, the BLM will use a conservative approach when considering additional approvals.”

Approval of the PODs G&I EA would constitute a very conservative level of approvals relative to the development analyzed by the AREIS and decided upon in the ROD.

Comment WGFD-5 - We recommend the EA include an analysis and evaluation of previous actions taken by the Operator to monitor progress toward achieving each of the Performance Goals, particularly those that are wildlife-related. Such an analysis is essential for the public and

the decision-makers to be able to evaluate the potential for success in protecting wildlife and surface resources in the project area.

Response - The BLM has included a detailed list of the studies conducted to date for wildlife at Atlantic Rim in the Cumulative Effects Appendix 5 of the Decision Record.

Comment WGFD-6 - Permitting the development of PODs G&I effectively constitutes *"additional approvals"* in the ARPA. If the recommended evaluation indicates an *"absence of sufficient data,"* then the BLM should implement the ARPA decision to *"use a conservative approach"* in making a decision to permit development of the PODs.

Response – Please refer to our response to comment WGFD 4.

Comment WGFD-7 - We would recommend the following as possible examples: (1) reducing the number of permitted wells and roads in PODs G&I within Sawyer's mapped migration corridors, (2) slowing the pace of development of PODs G&I to enable the BLM and WGFD to conduct additional necessary wildlife monitoring studies as funding permits and, (3) initiate the preparation of a new EA or EAs which would analyze a wider range of alternatives that would have more positive benefits for wildlife, including that of a "No Action" Alternative.

Response – Please refer to our response to Comment WGFD 4. The "No Action" alternative is an alternative considered but not brought forward for detailed analysis. There is further information on No Action in the EA on page 15.

Comment WGFD-8 - we recommend that the BLM should incorporate Operator commitments in the EA's Decision Record for the development and funding of long-term, monitoring plans and reclamation efforts for big game in the project area, in collaboration with the BLM and WGFD, that focus on achieving the Big Game Migration Route and Big Game Crucial Winter Range Performance Goals as described in the ARPA Decision Record.

Response – Please refer to our response to WGFD 4. BLM has attached in the errata a listing of the various studies and monitoring the companies have conducted for wildlife. On-going studies include a shrub dependent song bird survey and annual greater sage-grouse (GSG) monitoring. The companies are evaluating the use of a GSG population model to help determine populations trends at Atlantic Rim and the BGMG has been tasked to monitor pronghorn and mule deer as detailed in the Response to Comment WGFD-4.

While not directly aimed at big game, reclamation monitoring efforts are being undertaken annually and will continue through the life of the project. There are no further mule deer collaring study commitments on the part of the companies other than generating a final report from the last collaring study ending in 2011. The companies are proposing to end baseline monitoring in upper Muddy Creek, although data collection on water quality is on-going with a United States Geologic Survey (USGS) in stream monitoring gage at Muddy Creek.

Comment WGFD-9 - Finally, we recommend that BLM should prepare an annual report to keep the public informed about the accomplishments of the Operator, along with any actions they have taken, with respect to achieving the Performance Goals.

Response - The annual reports given by the companies and the monitoring groups fulfill that need, but the BLM is open to discussing the possibility with the State of Wyoming and the other Review Team participants in the future.

Comment WGFD-10 the Department is aware of only a single action, with respect to the wildlife Performance Goals that any of the Operators in the ARPA have undertaken. That action was Anadarko's funding assistance for the mule deer migration studies.

Response - Please refer to our response to comment 5 above. The BLM understands that of the various studies conducted, DEPC has been an equal participant, financially. Among the study types the companies have contributed to are annual GSG lek surveys, aerial monitoring of GSG habitat use, mule deer collaring, Muddy Creek monitoring and reclamation monitoring.

Comment WGFD-11 - Many fences are present in the ARPA that are not constructed to BLM Manual specifications. These fences often create barriers to big game migration and freedom of movement. We recommend BLM and the Operators replace non-compliant fences where possible to meet BLM specifications or wildlife friendly design.

Response – This comment is outside the scope of Catalina PODs G&I, unless the WGFD can bring fences within the boundary of PODs G&I to the BLM's attention. The RFO and the Atlantic Rim big game monitoring group for the ARP implementation program is currently assessing and implementing fencing modification projects within the Atlantic Rim area. There was 6.5 miles of fence conversion at the Grizzly management area in 2009 and another 10 miles on the Grizzly management area in 2010. Fence conversions in crucial winter range are the highest priority at this time. RFO intends to continue modifying fences as funding and opportunity allow.

Comment WGFD-12 - we suggest that the EA Decision Record include signing of private/public boundaries on all roads that cross these boundaries. The message on these signs could read something like: "PRIVATE LAND, NO UNAUTHORIZED OR GENERAL PUBLIC TRAFFIC BEYOND THIS POINT" and should be approximately 3 x 4 feet in size.

Response - While such a sign program could have positive effects, the BLM does not have the authority to require or place signs that describe adjacent landowners land use policies. BLM is available to collaborate with the WGFD to bring this request to the attention of appropriate landowners, including private surface owners and the State of Wyoming.

Comment WGFD-13 - We recommend that all Operators should participate in monitoring the wildlife populations that would be impacted by the Catalina G&I PODs.

Response - Please refer to our response to comment 5 above. The BLM has been told that Anadarko Petroleum Corporation and DEPC are sharing equally in the costs associated with company sponsored wildlife related monitoring at Atlantic Rim. In addition, the BLM and the State of Wyoming have contributed funds and staff time to these efforts.

Comment WGFD-14 - We recommend the inclusion of a map in the EA that clearly shows the route that connects HWY 789 with the east access point described for Alternative A. The route

should also be shown on the recommended new maps of road networks overlaid on the migration routes as suggested above in Item 2.

Response - Please see our response to comment 3. Map 11 in the errata section shows the route. Map 6 (page 9) depicts the network of roads in the project area. It is evident from this map that there are numerous routes from State Highway 789 to the east access route using the existing network of roads.

Comment WGFD-15 - A summary sentence should be added under each alternative that clearly states the approximate driving times and distances (or ranges thereof) for each of the proposed access routes.

Response - Examples of relative driving times can be found within the "Transportation" section of the EA. The EA, on page 18 states in part:

"The east access route (alternative) would result in longer trip times for DEPC and its contractors due to slower vehicle speed requirements. This is especially true for vehicles coming south on State Highway 789 going to POD I or the west portion of POD G. Travel times would be about the same for traffic originating from the south on State Highway 789 but would occur at slower speeds once within the ARP itself."

The BLM has added text in the errata section of the Decision Record summarizing its analysis of the effect of either alternative on transportation in the PODs G&I area.

Comment WGFD-16 - "*normal, mule deer winter maintenance activities*" used at the top of p. 43 is confusing. We assume this refers to migrating mule deer and pronghorn movement patterns, along with undisturbed use of crucial winter range in the vicinity of the proposed NW access road. Please clarify the meaning of this phrase

Response – the text has been corrected in the errata to read: "mule deer and antelope migration patterns."

Comment WGFD-17 - the analysis stops short of stating what the ultimate effects of blocking or altering movements could mean to the population. The ultimate effects are the potential for reduced winter survival and a decline in population size.

Response – Text has been added to the EA in the Errata section.

Comment WGFD-18 - We recommend continued monitoring of sage grouse to help determine if the Greater Sage Grouse Performance Goal is being achieved.

Response – Please refer to our response to comment 10. The BLM anticipates Greater sage-grouse monitoring will continue at Atlantic Rim as it has in the past in collaboration with the WGFD, and the companies.

Comment WGFD-19 - - Development of a Supplemental EIS. or Inclusion of a "No Action" Alternative:

Response - The “no action” alternative is an alternative considered in detail in the AREIS and not selected in the Record of Decision (ROD). For Catalina PODs G&I “no action” is an alternative considered but not analyzed in detail. The Proposed Action and Alternative A are consistent with the decisions made in the ARP ROD.

Comment WGFD-20 - To minimize impacts to the aquatic resources, we recommend a yearly onsite visit with BLM staff, WGFD personnel, industry representatives, and interested cooperators will be held.

Response - The BLM will conduct onsite visits with WGFD personnel, industry and Review Team members as needed and appropriate. In addition, the RFO is working in its Muddy Creek monitoring group on upland erosion monitoring in conjunction with the company’s Storm Water Pollution Prevention Plan and the WGFD and Wyoming Department of Environmental Quality.

Comment Received from:

Wyoming Department of Agriculture

Comment WyDA-1 - We suggest including Appendix A -Reclamation Plan, Appendix B -Atlantic Rim Natural Gas Project Performance-Based Monitoring and Best Management Practices and Appendix C -Operator-Committed Practices.

Response - The Catalina PODs G&I EA, on page 1, states in part that the EA is tiered to the AREIS and ROD. As such, all the AREIS and ROD contents are included by reference in the EA.

Comment WyDA-2 - Best Management Practices (BMPs), Conditions of Approval (COAs) and other protective measures are lacking throughout the EA as the ROD clearly requires (page 19).

Response – BMPs, COAs, and other protective measures are enumerated in appendices 1,2,3 & 4 in the Catalina PODs G&I EA. They are labeled “Design Features” and included general and site-specific provisions. In addition, all the mitigations, required best management practices and operator committed practices from the AREIS and ROD apply to the EA and Decision Record for PODs G&I.

Comment WyDA-3 - The AREIS and ARP ROD both have extensive disclosures of the various mitigations required for project initiated under the ARP ROD. These apply to the project as thought they are actually in the document package because the Catalina PODs G&I EA is tiered to the AREIS. In addition the EA contains two sets of Appendices, with each alternative having a “General Design Feature” and “Site-Specific Design Features”. Whether named BMPs or COAs or other protective measures, these provisions all apply to Catalina POD G&I.

Response - Page 17 of the Transportation Section (Effects common to all alternatives) states traffic activity would increase with speeds increasing by 15-25 mph over current conditions. However, it does not mention the effects dust will have on vegetation, air quality or livestock health or how Industry will mitigate these effects. These topics are discussed in the AREIS and

because the EA document is tiered to the AREIS they are in effect already included in the analysis.

Comment WyDA-4 - Appendix B -Transportation Section states the following: "Operator responsibilities for preventive and corrective maintenance of roads in the ARPA would extend throughout the duration of the project and include blading; cleaning ditches and drainage facilities; dust abatement; control of noxious and invasive species; maintenance of fences, gates, and cattle guards; and other requirements as directed by the BLM, Wyoming Department of Transportation (WYDOT), Carbon County, and private landowners (FEIS chapter 4). H Industry should implement these mitigation measures and dust abatement practices throughout the transportation network.

Response - These measures, regardless of how titled, are being implemented by the operators in cooperation with the BLM, other landowners and range lessees.

Comment WyDA-5 - Additional mitigation that should be implemented in the Transportation Section of this document is the posting of speed limits and the strict adherence to these speed limits as stated in Appendix B -livestock Grazing/Range Management Section, *"Operators and their contractors will observe and promote adherence to speed limits in the project area, and erect signs in lambing/calving areas, shipping pastures, or adjacent to working corrals to warn vehicle Operators (EIS, section 4.6.5.4)."*

Response - Development activities at Atlantic Rim have not yet entered into areas where traditional lambing/calving activities occur. If development proposals are received for such areas then this mitigation / design feature is available as needed and will be used. This mitigation is also discussed in the AREIS (section 4.6, Rangeland Resources).

Comment WyDA-6 - We also livestock use is monitored in this area to analyze the need for additional livestock water sources as adaptive management.

Response - BLM believes the agency was referring to the need for livestock monitoring. The BLM conducts on-going monitoring under the provisions of the Standards for Healthy Rangelands & Guidelines for Livestock Grazing Management for the Public Lands Administered by the BLM in the State of Wyoming as well as monitoring required for general livestock grazing permit administration.

Comment WyDA-7 - The EA lacks a Cumulative Impacts Section. The WDA recommends a cumulative impact analysis as required under the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act. The cumulative impacts analysis should analyze all the impacts that have occurred throughout the ARNGP area.

Response –A cumulative impacts (Appendix 5) section is included in the errata section of the Decision Record.

Comment WyDA-8 - The EA proposes approximately 316-326 acres of disturbance for this Project, but how many acres are already disturbed adjacent to the Project area? How many acres are already disturbed in the Doty Mountain Allotment?

Response - The BLM has disclosed this information in the errata section of the Record of Decision

Comments received from:

Little Snake River Conservation District

Comment LSRCD-1 - In fact, the Rawlins Resource Management Plan actually requires (Number 17. Page 2-54 Rawlins Resource Management Plan (RRMP)) that any additional surface disturbance and disruptive activities to be managed on a case-by case basis. Our question is: what is the definition of “case”? It would appear that the BLM is considering fifty-one (51) coal bed natural gas wells and associated infrastructure to be the “case”.

Response – Any implementation level project under the RRMP is required to have a site-specific NEPA analysis. The BLM considers all the actions detailed in the Proposed Action and Alternative A in the Catalina POD G&I environmental analysis (EA) as one project or “case” requiring site-specific analysis. Individual issues and concerns and their attendant design features or best management practices are addressed on a site-specific basis for each proposed disturbance within the EA.

Comment LSRCD-2 - We believe the herd numbers for both antelope and deer should be monitored well into the production phase of both Pod I and G and we believe that the applicant should bear the costs of monitoring efforts by the BLM or their contractors. The EA is very clear as to the lack of information concerning the migration and habitation of antelope in the proposed area for gas production. It is also clear the Rawlins Resource Management Plan (RRMP) and the Record of Decision (ROD) for the Atlantic Rim Natural Gas Development Project (ARNGDP) requires that the applicant demonstrate their maintenance of established migration routes and transitional ranges for wildlife. How else will the BLM know if the Performance Goals of the ROD and the provisions of the RRMP are being met without required monitoring?

Response - The BLM will continue to conduct long-term mule deer and antelope collaring studies, as funding allows. These studies would be intended to monitor mule deer, antelope and elk responses to development activities in migration corridors, crucial winter range and crucial year long ranges. Funding for wildlife and habitat monitoring may be obtained from BLM appropriations, in collaboration with cooperating or interested agencies, from the voluntary participation of the Operators, or from outside sources that may have an interest or desire to participate, or from a combination of these sources. The Atlantic Rim Big Game Monitoring Group (BGMG) has been instructed to prepare and implement studies to develop baseline pronghorn migration routes and habitat usage and mule deer migration and habitat use monitoring.

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Adding in the Catalina PODs G&I's 51 wells would show an approval level of 38% of the projected rate.

The ROD, on page 20 states in part:

“Operators are responsible for demonstrating successful achievement of Performance Goals. Early efforts are to be made to collect or consolidate resource data to form a baseline against which future monitoring efforts and data would be compared to indicate trends. In the absence of sufficient data illustrating Operator achievement of Performance Goals, the BLM will use a conservative approach when considering additional approvals.”

Approval of the PODs G&I EA would constitute a very conservative level of approvals relative to the development analyzed by the AREIS and decided upon in the ROD.

Comment LSRCD-3 - The District is very interested in any planned road closures or improvements as part of the transportation planning process alluded to on page 46 – Residual Impact Assessment #3, and we request notification of any such process by the RFO of the BLM.

Response – BLM believes you are referring to “Additional Mitigation Measure 3”. Any utilization of the transportation planning process within the RFO, including PODs G&I, will involve interested government agencies, the public, lease holders and range permittees, as appropriate. No modification to the road structure within PODs G&I, other than new road construction / existing road upgrades as detailed in the EA are planned at this time.

Comment LSRCD- 4 - We disagree with the statement that “no recreational loss resulting from the project” is expected especially in light of the next following sentence stating: “A large segment of the recreating public would be adversely impacted by the construction of this project to the point of greatly reduced, or discontinued, use of the area.” Would the BLM please clarify what they mean? (pg 28) The proposed development will eliminate recreational use in proposed Pods I and G.

Response - Public lands within the area that can be accessed by the public at large will still be available for recreational use, however the presence of gas development facilities would detract from the quality of the recreational experience that the recreating public might have. The area is not identified for any recreational facilities, or Special Recreation Management needs nor are any Recreation Resource Management needs identified in the RRMP. The area's status as a dispersed recreation use area will not change, however, as the general quality of recreational experience is degraded by project development, a segment of the public would seek their recreational experiences elsewhere in undeveloped or less developed areas.

Comment LSRCD- 5 - The District believes that any revegetation of disturbed areas discussion would also include the permittee so it is “designed on a site-specific basis in consultation with the BLM and permittee to maintain or enhance the quantity and quality of livestock forage within the allotment.”

Response - BLM reclamation goals emphasize ecosystem reconstruction, which means returning the land to a condition approximate to, or better than, that which existed before it was disturbed. BLM, DEPC and the permittee in the Catalina PODs G&I area interact regularly and

effectively. Generally, restoration of the same vegetation that existed prior to disturbance is the goal. The BLM and the companies will reclaim disturbed sites with any input the permittee cares to provide.

Comment LSRCD-6 - On page 26 under the heading Alternative A, the reference to Alternative A in the second to the last sentence really should be the Proposed Action.

Response - BLM will note this correction in the errata portion of the Decision Record. The text should read:

“The construction of this access road would contribute sediment and salts to the Muddy Creek watershed; however, due to the shorter re-construction distance of the alternative, contributions would be less than those that would occur under the Proposed Action.”

Comment LSRCD-7 - On page 22 under the heading “Effects Common to All Alternatives” we are concerned that the BLM has not mentioned the requirements of the applicant to obtain Stormwater Permits from the State of Wyoming Department of Environmental Quality and to comply with BLM adopted best management practices which if implemented by the applicant will significantly reduce the runoff and sedimentation.

Response - Selection and implementation of either alternative would include the development of a State of Wyoming’s “Storm Water Pollution Prevention Plan” (SWPPP). The SWPPP is a powerful tool that allows the company to reduce erosion and drainage issues under the approval of the State of Wyoming’s Department of Environmental Quality, Land Quality Division. The AREIS, Volume 2, Appendix K, in the Soils and Water Resources section, page K-23 further addresses this need.

Comment LSRCD-8 - On page 21 under the heading Effects Common to All Alternatives we question the statement “Soils with high salt content and high sand content...” as it is our experience that any sandy soil is devoid of any salts even in arid environments with less precipitation than the area of development due to the leaching effect.

Response - This text will be corrected in the errata to read:

“Soils with high salt content, high sand content, as well as shallow soils, moderately steep slopes...”

Comment LSRCD-9 - If the BLM has visited every site proposed for development in each application to drill (APD) to determine the soil type before any disturbance takes place we request to view the information at the RFO at a time of your discretion.

Response - The BLM has visited each site within the proposal, but has not conducted detailed soil surveys. Under the reclamation plan preparation process the company will collect soil samples from each site to determine site-specific soil characteristics.

Comment LSRCD-10 - On page 20 under the heading Soils Affected Environment we request that BLM provide the opportunity for the District to inspect the soils pits or soil samples referred to in: Soil properties were noted during on-site inspections of individual well pad, road, pipeline

and facility locations. Soils with high salt content and high sand content, as well as shallow soils on moderately steep slopes were identified.”

Response - Further in the paragraph there is text that states, in part:

“Additional site-specific soil parameters would be collected by the company and submitted in their reclamation plans per the Wyoming Reclamation Policy...”

There were no detailed soil surveys conducted during the on-site review, including soil pits. When the information becomes available to the BLM we will provide it, at your request.

Comment LSRCD-11 - As stated above we find it impossible for a sandy soil to have salt (Na CL) in its soil matrix. Please let us know as soon as possible whether we can inspect the soil samples or on-site soil pits as requested above.

Response - Please refer to our response to Comment 8.

Comment LSRCD-12 - Also on page 20 under the heading Vegetation we want to know if the BLM means proposed “...individual well pads, roads, pipelines and facility locations. It appears in the sentence that invasive weeds were found at existing well pads, etc. If not the sentence should be re-written.

Response - Invasive weed species were found within areas proposed for disturbance in some cases. The text should read:

“...proposed individual well pads, roads, pipelines and facility locations.”

Comments received from:

Double Eagle Petroleum Company

Comment DEPC-1 - The BLM has not provided sufficient reason to reject DEPC's proposal to access Catalina PODs "G" and "I" via the "north-west route.

Response - The Bureau of Land Management (BLM), RFO has not rejected DEPC's Proposed Action. Rather, the RFO has identified resource conflicts from the Proposed Action that require the RFO to develop and assess alternatives in order to minimize impacts on affected resources. The decision made by the authorized officer is detailed in the Decision Record portion of this document.

Comment DEPC-2 - The BLM appears to have arbitrarily and capriciously determined which route it prefers and drafted an EA to support that outcome regardless of the actual facts.

Response - No decision on which route or alternative has been made prior to release of the Decision Record in this matter. The BLM has accurately described the environmental consequences of both alternatives.

Comment DEPC-3 - The BLM has not modified DEPC's proposal to drill and develop 51 CBNG wells and associated infrastructure.

Response - BLM may not modify a proponent's Proposed Action. It can develop alternatives as appropriate based on identified resource conflicts.

Comment DEPC-4 - On page 6 of the Catalina EA, the BLM identifies two reasons for later rejecting the Proposed Action.

Response – As detailed in the EA, the BLM identified two broad categories of resource conflicts from which it developed alternatives to the Proposed Action. The BLM did not reject the Proposed Action in the EA.

Comment DEPC-5 - The BLM apparently has determined that other companies and contractors will utilize the route despite the fact that DEPC has not proposed an access route that could be utilized by other companies or contractors.

Response - BLM's assessment of the effects of the Proposed Action is detailed on pages 17 and 18 of the EA. The potential for other companies using the access road is detailed on page 18 of the EA.

Comment DEPC-6 - It is not reasonable for the BLM to assume, and effectively punish DEPC, on the belief other companies may illegally use the route.

Response - BLM is not "punishing" DEPC for its proposal. It is assessing the effects of the proposal and reasonable alternatives in order to make an informed decision on what is best for all the parties and resources within the affected area. The use of the route by other companies is one factor for discussion in the EA and consideration in the Decision Record.

Comment DEPC-7 - The BLM's analysis further ignores DEPC's offer to install a locked gate on the access route as soon as drilling activities within the Catalina PODs "G" and "I" have been completed.

Response - The errata section will correct this oversight.

Comment DEPC-8 - The BLM has simply failed to justify its assumption that illegal use of the proposed north-west route is or should be a significant concern.

Response - BLM does not characterize illegal access as a significant concern, but it is indeed a concern. The EA states that traffic in the area will increase under either alternative and that motor vehicle movement and presence is a disruptive activity that can have adverse impacts upon big game and wildlife in general.

Comment DEPC-9 - The BLM also has not presented sufficient analysis to demonstrate mule deer migration will be significantly impacted by the construction and use of the north-west route.

Response - The BLM has not asserted that mule deer migration will be significantly impacted by the construction and use of the north-west route. The AREIS predicts significant impacts to

big game, including mule deer from implementation of the ARP. The north-west route will contribute to those effects as does the east access route.

Comment DEPC-10 - The proposed right-of-way (ROW) for the north-west route follows a well-established, partially upgraded road. The BLM's description of the road as a "two-track" is not accurate as the vast majority of the route is far more developed than a simple two-track road. Portions of the road have been upgraded and graveled. See DEPC Exhibit A, Pictures of the north-west route. Even if the BLM denies the Proposed Action, the north-west route will continue to be heavily utilized for ranching and recreation purposes. See Catalina EA, pg. 28.

Additionally, because the entire length of the proposed north-west route follows an existing overhead powerline, the route will continue to be used to inspect and repair the powerline. See DEPC Exhibit A; see *also* Catalina EA, pg. 17. An additional section of the proposed north-west route parallels a pipeline in Section 25, Township 17 North, Range 92 West, which has not only been recently disturbed, but will require use of the partially upgraded road in order to inspect the pipeline. See DEPC Exhibit A (picture of pipeline from proposed route).

Response - BLM agrees the road is in better condition than a standard two-track route and will correct the "two track statement in the errata portion of the Decision Record.

Comment DEPC-11 - The road is also used to access and support gravel operations in the area.

Response - There are no gravel operations in the area. A historic gravel pit along the northwest access road and near highway 789 was recently reclaimed at great expense after economically useable sources of rock were depleted. There are no known plans to develop additional gravel operations in the area.

Comment DEPC-12 - Given the condition and conditional use of the existing road, the overhead powerlines, and other facilities in the area, the BLM has not demonstrated that the north-west access road would actually inhibit mule deer migration.

Response - Under the Proposed Action the additional traffic that would utilize the northwest road, including construction and operational activities, would influence big game crucial winter range through disruptive activities. The BLM states in the EA (page 36) that construction and operation of the Proposed Action will tend to influence big game to move generally further north and west than they do at the present.

Comment DEPC-13 - The BLM's description of the potential surface disturbance associated with the Proposed Action is inaccurate because it fails to recognize the existing surface disturbance along the proposed access road. As depicted in Exhibit A, the vast majority of the route is already disturbed. The BLM's decision not to recognize this disturbance mars its analysis of the potential impacts to the majority of resources in the Catalina EA and reduces the effectiveness of the document. Throughout the EA, the BLM ignores that the north-west route constitutes an existing, disturbed road that accommodates regular traffic. This error should be considered when the BLM makes its decision.

Response - DEPC’s “Exhibit A” consists of pictures of portions of the north-west route (Proposed Action route). A buried pipeline follows alongside and adjacent to the route for a portion of the way. The pipeline has been reclaimed and stabilized but is not yet suitable for rollover status under the ARP ROD. The road consists of partially un-vegetated surface disturbance. As detailed in the EA, the Proposed Action route overlays an existing road to the project area. Approval of the north-west route would require reconstruction of the route to BLM standards including further surface disturbance on the route surface itself and possibly other disturbance activities including culverts, wing ditches and other features in an area outside of the ARP boundary.

Comment DEPC-14 - The BLM's description of Alternative A and its proposed impacts is misleading and inaccurate. The only material difference between Alternative A and the Proposed Action is the access route.

Response - The EA, at page 11, details the differences between the Proposed Action and Alternative A. The “Transportation” section of the document, starting on page 17 discloses the impacts of the alternatives. In addition, the BLM has added additional text in the errata section of the Decision Record to clarify the effects anticipated from the Proposed Action and Alternative A.

Comment DEPC-15 - The BLM incorrectly suggests that the access route proposed under Alternative A will reduce potential impacts to mule deer and other resources.

Response - The EA, on page 44, states in part:

“The majority of the Dad to POD C route avoids mule deer CWR and migration corridors and maintains the current functionality of the migration patterns and CWR use.”

There is additional text describing the effects of Alternative A found there also. The Alternative A access route crosses mule deer crucial winter range on the southwest portion of the route on Carbon County Road 608 for a distance of about 1.6 miles. Then the route crosses mule deer CWR for another 0.8 of a mile on the main Catalina entrance road for a total of 2.3 miles of mule deer crucial winter range traversed. The Proposed Action route crosses approximately 0.8 miles of crucial winter range for mule deer.

For pronghorn, the Alternative A route passes through crucial year long range for a distance of about 4 miles. 3 miles are on Carbon County Road 608 and 1 mile on the Catalina main access road. The Proposed Action route crosses about 2.3 miles of crucial year long pronghorn range

Miles of Route Within Crucial Big Game Ranges

| Species | Proposed Action | Alternative A | | |
|-----------|-----------------|---------------|-----------------|--------|
| | Route | CCR 608 | Catalina Access | Totals |
| Mule Deer | 0.8 | 1.6 | 0.8 | 2.3 |
| Pronghorn | 2.3 | 3.0 | 1.0 | 4.0 |

Comment DEPC-16 - Most significantly, the BLM completely glosses over the fact that the access route it proposes from Highway 789 to the Project Area is approximately 11 miles long. In contrast, under the Proposed Action, the access route to the Project area is only about 2.5 miles.

Response - The EA, on pages 17 and 18, discusses driving distances under the Proposed Action and alternative A under the title of "Driving Time and Distance". Actual driving times and distance will vary depending on the direction which a vehicle enters the area and the project areas needs to be accessed. The BLM does not dispute that generally driving distance and time will be longer under Alternative A, compared to the Proposed Action. However the impacts that result from use of the Proposed Action and Alternative A are different as detailed in the "Transportation", "Soils" and "Wildlife Resources" sections of the EA.

Comment DEPC-17 - Particularly egregious is the fact that not one map in the entire EA depicts the much longer route required by Alternative A. See Catalina EA, pgs. 11 -13 (Maps 3 and 4).

Response - Please refer to map 11 in the errata section of the Decision Record.

Comment DEPC-18 - In fact, Maps 3 and 4 fail to identify any access to the Project Area, effectively suggesting that none exists.

Response - Maps 3 and 4 both show the additional road segment near well 24-30 (Township 17 North, Range 91 West, section 30) for Alternative A.

Comment DEPC-19 - Similarly, the BLM's description of the proposed route does not accurately convey its length.

Response - On page 17 of the EA it is stated:

"Traffic coming from State Highway 789 could enter the ROW and travel approximately 2.1 miles to the boundary of POD I."

The BLM rechecked its estimate using GIS software and digital aerial photos to measure the distance. 2.1 miles from State Highway 789 to the POD I boundary is accurate.

Comment DEPC-20 - Because the BLM fails to provide any meaningful discussion of the proposed access under Alternative A, the BLM ignores that Alternative A will result in more traffic and other potential negative impacts than access under the Proposed Action.

Response - Alternative A's proposed access is described on page 11 of the EA. The BLM agrees that adoption of the Alternative A east route would result in more traffic within the interior road network as compared to the north-west route. The EA discloses the effects to all resources due to Alternative A including longer driving times and slower speeds compared to the Proposed Action.

Text in the EA states in part:

"The east access route requires POD G&I related traffic to move through the ARP area via the Dad access route. ARP traffic would be required to travel farther on unpaved roads and at slower speeds (est. 20 to 35 miles/hr.)."

Text has been added in the errata to state that more traffic will occur on the interior road networks under this alternative.

Comment DEPC-21 - The BLM should describe and disclose the increased dust that will be generated by Alternative A and the fact that approximately 9 miles of gravel roads will be used to access the Project Area. Both the EIS for the RRMP and the AREIS disclose the adverse impacts to vegetation and wildlife associated with dust from traffic.

Response - The BLM does not disagree that more dust would be generated from Alternative A as compared to the Proposed Action. This is disclosed in the EA in the "Access to POD G&I and Atlantic Rim area in general" under the Alternative A heading. The effects of dust within the ARP area is thoroughly described in the AREIS including the "Vegetation and Wetlands section, the "Air Quality" section, the "Water Resources" section, and the "Rangeland Resources" section.

Comment DEPC-22 - Alternative A additionally adds significantly to the number of highway miles that must be driven each day by employees and contractors in the field. Rather than significantly increasing the potential impacts associated with traffic to this area, the BLM should select the Preferred Alternative that reduces overall traffic to the area.

Response – Adoption of Alternative A would cause traffic on State Highway 789 coming from the north to travel approximately 7.7 miles further on the highway to the Carbon County Road 608 turn-off at Dad. The effects of such travel were thoroughly analyzed in the AREIS and approved in the ROD (see AREIS page 4-147).

Comment DEPC-23 - The BLM's description of potential traffic-related impacts associated with either the north-west route or Alternative A is inaccurate and misleading because it assumes that traffic originates from the DEPC administrative site point in Section 6, Township 16 North, Range 91 West rather than the actual access point for the Project Area, Highway 789.

Response – DEPC's administrative site is one of the key operational points within the Catalina project area. Employees and contractors working in the Catalina area will presumably have the option of staying in Rawlins, approximately 55 miles away to the north, or the closest town - Baggs, which is approximately 22 miles from the Dad turn off to the south.

Comment DEPC-24 - The assumption that DEPC personnel simply appear at the central delivery point each day is nonsensical; all of DEPC's employees and contractors travel to the project area from the north using Highway 789.

Response - Please refer to our response to comment 23.

Comment DEPC-25 - To assess the potential transportation-related impacts with any accuracy, the BLM must rely on actual traffic patterns in the area, not on the erroneous assumption that DEPC's employees and contractors will be teleported into the center of the Project Area each day.

Response - Please refer to our response to comment 23.

Comment DEPC-26 - The BLM assumes that the impacts to soils from the Proposed Action will be greater than Alternative A because it will involve more road construction. See Catalina EA, pg. 21 ("The Proposed Action would have more road re-construction as compared to the Alternative A route.").

Response - Both proposals are existing routes into the project area. Both would require reconstruction and upgrading to BLM road standards. The east route would require 0.7 miles of upgrade and reconstruction while the northwest route would require 2.1 miles of upgrade and reconstruction to the POD boundary. Overall the EA predicts Alternative A would result in construction / reconstruction of 1.4 miles of road not found in the Proposed Action and about .25 mile of pipeline. The road reconstruction would involve similar types of disturbances in either case.

Comment DEPC-27 - In making this assumption, the BLM ignores that an existing, partially upgraded road is already in place along the proposed north-west route. The BLM's analysis does not demonstrate that the impacts from upgrading the road would actually be more extensive than current impacts associated with the existing route.

Response - Please refer to our response to comment 26. A description of the northwest access route can be found on page 11 of the EA.

Comment DEPC-28 - Furthermore, because the current, partially upgraded road has not been constructed in accordance with BLM and Wyoming Department of Environmental Quality (WDEQ) Standards, the Proposed Actions may actually reduce impacts to soils.

Response - BLM agrees with the assertion that the Proposed Action may reduce impacts to soils and sedimentation in Muddy Creek by reconstructing an existing road to BLM oil and gas road standards. The proximity of the route to Muddy Creek, and the fact that run-off from the route would feed more directly into Muddy Creek is a concern (page 21, Proposed Action).

Comment DEPC-29 - Given the lack of analysis, it is impossible for the BLM to suggest that upgrading the north-west road will actually cause greater impacts to soils than those associated with the existing road. The BLM admits that impacts to soils are caused by exposed soils (Catalina EA, pg. 22), but its conclusion that erosion will increase under the Proposed Action ignores the fact that the soils are already exposed. See DEPC Exhibit A. There is no analysis in the EA demonstrating or even suggesting that the upgraded road will cause more erosion than the existing, partially upgraded road.

Response - Please refer to our responses to comments DEPC 26, 27, and 28.

Comment DEPC-30 - By authorizing construction, imposing appropriate best management practices, and adhering to the terms of the Gold Book, Onshore Order No.1, and WDEQ permits and requirements, the Proposed Action may actually reduce potential impacts to soils.

Response - Please refer to our responses to comments DEPC 26, 27, and 28.

Comment DEPC-31 - In its discussion of potential site-specific impacts of wells located within PODs "G" and "I," the BLM neglects to inform the public that each and every well location was selected by the BLM after careful on-site inspections.

Response - Details of the interdisciplinary team review and the re-siting of roads and other project features are disclosed on page 5 of the EA, last paragraph.

Comment DEPC-32 - The language on pages 21-24 of the EA describing well locations within ephemeral drainages implies that well locations were not carefully screened by the BLM interdisciplinary team to ensure placement would minimize adverse impacts to the greatest extent possible.

Response - Any site selected for a well pad will have varying effects on a range of resources. In cases where the best pad location included blocking or covering an ephemeral drainage the BLM has clearly disclosed that condition and the mitigation it will use to offset or avoid adverse impacts from the situation.

Comment DEPC-33 - As currently drafted, the language in the EA suggesting that wells could adversely impact "existing channels" implies that wells are inappropriately located in riparian areas or wetlands. The BLM should have more accurately described its approval of each well location.

Response - No wells are located in riparian areas or wetlands. For well locations where resource issues are identified, the issues identified and the mitigation measures required to reduce impacts are detailed in depth on pages 23 to 25 in the EA.

Comment DEPC-34 - With respect to its description of potential impacts from upgrading the north-west route, the BLM again mistakenly assumes that the impacts associated with the upgraded road would necessarily be greater than those currently associated with the route in its present condition. The BLM asserts that the proposed road would traverse "moderately steep slopes" and "accelerate naturally occurring erosion" but does not mention any impacts associated with ongoing erosion from the existing road. See Catalina EA, pg. 25. It is impossible for the BLM to suggest both that the upgraded road would cause adverse impacts given the slope of the terrain and proximity to Muddy Creek, but that the existing, partially upgraded road has no impacts.

Response - Please refer to our responses to comments 26, 27, 28 and 29.

Comment DEPC-35 - The BLM's position is particularly dubious given the fact the existing road was not engineered or constructed in accordance with standard BLM requirements.

Response - The road in question, the northwest access route, was constructed in the 1970's as an access road to an exploratory natural gas well. The well was not developed into a producer and the road was left for the use of other activities in the area including ranching. It was not developed to modern standards and it has not received the maintenance and repairs a functioning oil and gas development road would receive over the years.

Comment DEPC-36 - In the AREIS, the BLM notes that "[p]roperly designed roads would be more able to shed water in a non-erosive manner and this would reduce impacts compared to roads that are improperly or inadequately designed." AREIS, pg. 4-27. The BLM has not explained why this analysis from AREIS does not apply to the north-west route, or explain why impacts are not occurring from the existing road. It appears all of the BLM's analysis is flawed because it assumes the proposed north-west route does not follow a well-established existing road.

Response - Please refer to our responses to comments 26, 27, 28, 29 and 35 and additional text in the EA located in the Errata section of the Decision Record.

Comment DEPC-37 - The BLM properly observes that neither the Proposed Action nor Alternative A will directly impact any historic properties. Catalina EA, pg. 27. The BLM suggests, however, that upgrading the north-west route will somehow "change the historic setting of the Overland Trail and cause an adverse effect to this historic property." *Id.* The BLM fails to explain how upgrading the existing road would change the historic setting of this area. As described above, the existing road is partially upgraded and, when reconstructed, would not be detectably more visible than the existing route. See Exhibit A. The BLM's statement also ignores the fact that overhead lines and other pipelines have been installed in the area. See Exhibit A. The BLM has failed to justify its assertion that upgrading an existing road would reduce the historic setting of the Overland Trail given the existing roadways proximity to overhead powerlines that are certainly far more visible.

Further, the BLM's own visual analysis actually demonstrates that the vast majority of the north-west route would not be visible from the Overland Trail. The north-west route is located a significant distance from the Overland Trail; most of the road is more than two miles from the Overland Trail. See Exhibit C-1, Maps of Trails within Atlantic Rim. Furthermore, the topography of the area makes it very difficult for the road to be visible at any point along its length. See Exhibit C-2 and C-3, BLM Visual Analysis Maps (with and without proposed road added). In fact, from DEPC's analysis, it appears that increased traffic on BLM's proposed route would be more visible from other historic trails in the area, including the Baggs to Rawlins Trail, than the north-west route and its associated traffic. *Id.* At the very least, the BLM needs to acknowledge and analyze these potential impacts.

Response - The EA, in the Cultural Resources section, page 27, states that a "Programmatic Agreement" has been reached by the BLM, State Historic Preservation Office and the companies and implementation of the agreement will mitigate any potential impacts, including those from Proposed Action or Alternative A.

Comment DEPC-38 - BLM does not explain how upgrading this (northwest) route and the resulting minor surface disturbance will create the need to establish new water sources.

Response - By "develop new water resources" the BLM is stating that the watering facilities located next to the proposed access road would need to be relocated in order to avoid conflicts between traffic and concentrated livestock use.

Comment DEPC-39 - Further, the BLM's statement that the proposed access road would "increase the risk of collisions" between vehicles and livestock does not make sense.

Response - The increased risk of vehicle / livestock conflicts by having an area of concentrated livestock use and presence next to an active main access road is a reasonable assumption considering the proximity of the Proposed Action access route and the existing livestock watering system.

Comment DEPC-40 - No speed limit presently is imposed on the existing road and DEPC has agreed to limit the speed on the proposed north-west route to only 20 miles per hour; accordingly, the BLM cannot assume without further analysis that the route would increase the risk of collision beyond Alternative A.

Response - Please refer to our responses to Comment 38 and 39. Alternative A also includes a road in the same location as the Proposed Action, however, it would be used to access a limited number of wellpads and would not be a primary access route. Traffic would be considerably reduced and slower in that case and that the risk of livestock / vehicle conflicts would be lower compared to the Proposed Action. It may still be necessary to relocate such watering sources for the livestock should such a conflict still arise under Alternative A.

Comment DEPC-41 - The BLM's much larger route will increase the risk of collision simply given the length.

Response - The BLM is interpreting "larger" (above) to mean "longer". The AREIS identifies and discusses livestock / vehicle collisions in the Range Resources section. There is a proportionately higher risk of collisions from Alternative A as compared to the Proposed Action, but well within the scope of the assessment found in the AREIS.

Comment DEPC-42 - Overall, the BLM does not fully analyze or disclose the potential impacts to wildlife associated with the much longer access route proposed in Alternative A. The BLM notes that that construction, operations, human presence, dust, and noise associated with the route may displace or preclude wildlife use of disturbed areas, but does not disclose the fact that traffic, noise, and dust will all increase under Alternative A because of the longer route.

Response - Please refer to our response to comment 20 and 21.

Comment DEPC-43 - The BLM's description of potential impacts to wildlife is particularly lacking given the other wildlife resources potentially impacted by Alternative A. The longer access road in Alternative A will route traffic within one quarter mile of a white faced ibis nest, several hundred feet to one half mile from seven different raptor nests, and one half mile from a bald eagle nest. See Exhibit D, Wildlife Map. The BLM makes no reference to these species or the impacts of increased traffic to these species.

Response - The facts are that any road location within the ARP area will effect wildlife. The existing route to which alternative A proposes to add additional traffic is in place, in use, and is already influencing local wildlife. A new route, such as the northwestern Proposed Action route

would increase traffic in an area that receives some traffic but not to the extent and intensity projected if the route is approved as an access to PODs G&I.

The bald eagle nest to which you refer is located west of highway 789 near the wetlands. Bald eagles that utilize this nest site are accustomed to traffic on State Highway 789. Traffic associated with either access route is not likely to have additional impact on nesting bald eagles.

Comment DEPC-44 - Furthermore, the BLM's decision to route additional traffic by the raptor nests arguably is inconsistent with the Rawlins RMP, which requires "disruptive activities" to be intensively managed in all raptor concentration areas to reduce physical disturbance of raptor habitat and disturbance to the birds. Rawlins RMP, pg. 2-52. The BLM cannot justify the selection of Alternative A given its increased impacts.

Response - The Rawlins RMP supplies the following definition:

“RAPTOR CONCENTRATION AREA (RCA). A localized area where raptors congregate that may provide thermal protection, increased forage availability and a minimal level of stress-inducing disturbances.”

Because of the extent of existing disturbance and disruptive activities from the ARP, the “minimal level of stress-inducing disturbances” standard is not met and the area does not qualify as a raptor concentration area. Intensive management of disruptive activities is not required in the ARP, including the Catalina area.

Comment DEPC-45 - Nonetheless, the BLM appears to focus on the north-west access route and the possibility that the route will limit migration corridors. The north-west route, however, is consistent with the adaptive management performance goal set forth in the Atlantic Rim ROD for migration corridors, which aims to "maintain functional migration routes through or around development areas." Atlantic Rim Rod, pg. B-2. The Performance Goal allows for development activities within migration routes so long as there are means for the game to travel through or around development areas. *Id.* The goal was not intended to prohibit any potentially adverse impacts to migration routes.

Response - The text in the EA Wildlife Resources section, page 43 refers to the increased risk of adverse impacts to mule deer resulting from increased traffic in the area above the current level and levels expected from Alternative A. As disclosed in the EA, the presence of an upgraded northwest access route will result in increased traffic levels and speeds from oil and gas activities and public use above existing levels which in turn will result in more disruption to wildlife activities. The EA states that PODs G&I will likely shift migration and use patterns to the north and west of the development area into, in part, the vicinity of the Proposed Action route.

No mapped mule deer migration routes cross the northwest access route. Mule deer collaring studies have demonstrated that mule deer do migrate to and from crucial winter ranges through the area of the northwest route and that the location of PODs G&I is a “high” use area for mule deer migration. The EA, in the “Wildlife Resources” sections predicts that PODs G&I will tend to cause mule deer migration routes to shift to the north and west.

The Performance Goals from the ARP ROD states that the BLM will attempt to maintain, in collaboration with other State and other federal agencies, functional migration routes through or around development areas.”

Comment DEPC-46 - Ongoing monitoring by DEPC and Anadarko Petroleum demonstrate that there has been little change between the migration patterns of mule deer in the Atlantic Rim project area between 2006 (prior to the ROD) and 2010.

Response - The EA is concerned with the effects of the proposed PODs G&I development activities on mule deer in the future. Without development to date no change in migration patterns would be expected.

Comment DEPC-47 - Approval of the route itself will not impact or alter migration routes, and certainly will not prevent wildlife from migrating around developed areas.

Response - Please refer to our response to comment 45.

Comment 48 - The vast majority of the proposed north-west route is actually outside of the identified migration route.

Response - Please refer to our response to comment 45

Comment DEPC-49 - Approval of the route will not directly impact migration routes and certainly will not prevent wildlife from migrating around developed areas.

Response - Please refer to our response to comment 45.

Comment DEPC-50 - The BLM also suggests that development in the Catalina "G" and "I" PODs could indirectly impact migration routes by shifting migration patterns to the north and west. Catalina EA, pg. 36. The BLM has not explained why such a shift would occur given the existing roads, highways, powerlines, and pipelines in the area.

Response - BLM states it is likely migration routes will shift due to the presence of PODs G&I after construction (EA page 36, Mule Deer). Mule deer, when the choice is available, will tend to move away from surface disturbance and disruptive activities (like noise and traffic) to areas where there are fewer disturbances. Construction and operational activities associated with the proposed 51 new wells and associated facilities is anticipated to shift mule deer usage within the currently undeveloped areas to the north and west of PODs G&I.

Comment DEPC-51 - There will only be a negligible difference between the upgraded road under the Proposed Action and the condition of the existing partially upgraded.

Response - Please refer to our response to comment 26.

Comment DEPC-52 - A shift to the north and west seems also improbable given other, previously authorized development activities in the area, including a significant gravel operation in Section 22, Township 17 North Range 92 West. Absent a better explanation of, and evidence to support, its statement on page 43 of the Catalina EA that migration routes would be altered

by increased traffic volumes on the proposed north-west route, the BLM cannot rely on this reason to reject the north-west route.

Response - Please refer to our response to comment 11. The gravel operation is closed out and the pit has been reclaimed at great expense. The EA states that it is "likely" the migration will generally be moved. In addition, please refer to our response to comment 50.

Comment DEPC-53 - The BLM mistakenly maintains that the "north-west route would increase traffic and associated disturbances within migration corridors both within and adjacent to POD G&I."

Response - Please refer to our response to comment 45. The Transportation portion of the EA states on page 17 that traffic would increase under either alternative. The Proposed Action's effects are detailed on pages 17 and 18 and provides BLM's rationale as to why traffic will increase under the Proposed Action. Please refer to our response to comment 43.

Comment DEPC-54 - The map on page 37 of the EA demonstrates that the migration corridors, even when depicted as 0.5 mile corridors, are not directly impacted by the north-west route; no surface disturbing operations within the migration corridor are anticipated under the Proposed Action with respect to the north-west route.

Response - Please refer to our response to comment 50.

Comment DEPC-55 - The maps attached as Exhibit E similarly indicate that the north-west route is outside of the migration corridors.

Response - Please refer to our response to comment 45 and 50.

Comment DEPC-56 - The BLM's analysis of potential collisions with wildlife on the route also does not appear to take into account DEPC's agreement BLM, Catalina Project to limit traffic on the route to 20 miles per hour in order to reduce potential impacts.

Response – Please refer to our response to DEPC- 40. BLM is in receipt of a letter from DEPC offering to restrict company traffic to 20 miles an hour on the northwest access route.

Comment DEPC-57 - The BLM suggests on page 44 of the EA that Alternative A would "avoid the center of the mule deer migration corridors and CWR [crucial winter range]." Catalina EA, pg. 44. Again this statement is contradicted by the BLM's own maps. Map 8 in the EA confirms that development operations and portions of the Alternative A segments are all within or adjacent to migration corridors or mule deer crucial winter range.

Response – Please refer to our response to DEPC – 15. Alternative A segments within migration corridors are necessary to access well pads and facilities within POD I and offset other road segments found in the Proposed Action. The east route segment avoids mapped migration corridors, and the EA, on page 44, states in part:

"At this time, the access route (from Dad to POD C) is approved for company traffic to access Pod A-F. The development of POD G&I would increase traffic along the Dad to

POD C route. This access route is south of the mule deer CWR and only crosses one migration corridor near its terminus. The majority of the Dad to POD C route avoids mule deer CWR and migration corridors and maintains the current functionality of the migration patterns and CWR use. As identified from the collaring study, the 0.7 miles of newly constructed road that would provide access to POD G&I would avoid the majority of the identified mule deer migration corridors and CWR. The east access route would provide adequate access into POD G&I and avoid the center of the mule deer migration corridors and CWR.”

Comment DEPC-58 - The north-west route, however, is completely outside of the BLM's identified migration corridors and less than one-mile of the route is within crucial winter range. The BLM's Alternative A route, however, traverses over nine miles of crucial winter range. DEPC Exhibit D, Wildlife Map.

Response – Please refer to our response to DEPC – 15. BLM used its GIS software to estimate the distance of travel through crucial winter range for the alternatives

Comment DEPC-59 - Moreover, from a policy perspective, the BLM should not make management decision based on assumptions regarding how oil and gas development may impact mule deer migration corridors. The Phase II Mule Deer Migration Study is currently underway and will be completed soon.

Response – The collaring study you refer to will not show the effects of POD G&I since the study was conducted before PODs G&I existed. BLM can only predict what the effects will be. Other studies of the effect of oil and gas development have shown mule deer habitat selection avoids surface disturbance and disruptive activities when possible.

Comment DEPC-60 - Although preliminary results from the study suggest some migration routes have shifted as a result of development, there is no indication that the routes have been constrained or eliminated.

Response - Please refer to our response to comment 50. The POD G&I analysis predicts effects will be found as detailed in the Wildlife Resources Section of the EA.

Comment DEPC-61 - Mule deer are still able to migrate around and through developed areas in complete accordance with the Performance Objectives in the Atlantic Rim ROD and the Rawlins RMP, which requires the BLM to intensively manage activities in migration and transitional ranges to maintain the integrity and function of big game species.

Response - Please refer to our response to comment DEPC 50 and 59.

Comment DEPC-62 - Absent evidence to the contrary, the BLM may only rely on the information in the Catalina EA demonstrating that the Proposed Action will have fewer impacts to big game and mule deer than Alternative A.

Response - The BLM will use any relevant scientific information and expertise in describing the effects anticipated from the actions proposed, including alternative A. Since the development

activities for the PODs are the same with only a few relatively minor road re-routings, the effects from either proposal are similar. The difference is the effects of approving the northwest route and establishing a new area of surface disturbance and disruption as opposed to the Alternative A route which would basically increase the intensity of disturbance within areas already disturbed and disrupted from early gas developments and on-going operational activities.

Comment DEPC-63 - Finally, with respect to pronghorn and mule deer, the Catalina EA suggests, virtually without support, that increased traffic along the north-west route will cause the significance criteria in the AREIS to be exceeded.

Response - The EA, page 43 (Proposed Action, mule deer and pronghorn) and page 44 (Alternative A, mule deer and pronghorn) state that development activities under either alternative will contribute to the significant effects found in the AREIS and ARP ROD.

Comment DEPC-64.- NEPA does not require the BLM to avoid management actions that have significant impacts. Further, in the context of its multiple use management responsibilities, the BLM is allowed, and in fact required, to make decisions promoting one use over another in certain situations.

Response - NEPA does allow the BLM to make decisions that have significant impacts, but the Act also requires federal agencies to “take actions that protect, restore, and enhance the environment (40 CFR 1500.1). The Federal Land Policy and Management Act charges the BLM with a multiple use mandate for the lands it is entrusted with. Section 102 (8) reads in part:

Sec. 102. [43 U.S.C. 1701] (a) The Congress declares that it is the policy of the United States that—

(8) the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use;

The BLM's actions and efforts are consistent with those provisions and the entire law.

Comment DEPC-65 - There is no evidence or analysis in the EA or otherwise to suggest that the impacts associated with the Proposed Action are greater than the impacts analyzed or disclosed in the AREIS.

Response - Please refer to our response to comment DEPC 62.

Comment DEPC-66 - The BLM asserts that the construction of the north-west route would cause direct habitat loss to sage grouse habitat. Catalina EA, pg. 43 ("The north-west access would result in increased direct habitat loss, as well as an increase in the indirect impacts to the Greater sagegrouse and their habitat."). The BLM provides no support for this assertion.

Response - Since the development activities for PODs are the same with only a few relatively minor road re-routings the effects on greater sage-grouse from either proposal are similar. The difference is the effects of approving the northwest route and establishing a new area of disturbance and disruption in greater sage-grouse nesting habitat as opposed to the Alternative

A route which would create a reduced amount of new disturbance (compared to the Proposed Action) and increase the intensity of disturbance within areas already disturbed and disrupted from earlier gas developments and on-going operational activities. Please refer to our response to comment 26.

Comment DEPC-67 - The BLM's statement cannot refer to general surface disturbing activities within sage brush habitat because then both the proposed wells, the proposed north-west access route, and the BLM's preferred access route would all allegedly cause "displacement of sage grouse"; rather, the BLM is very, very specific in the EA that only the north-west route would cause impacts to sage grouse. Catalina EA, pg. 43. The BLM's assumption is wholly without support and cannot be used to justify a decision to reject the north-west route.

Response - Please refer to our response to comment DEPC 64 and 66.

Comment DEPC-68 - The BLM's analysis of potential impacts to sage grouse is particularly concerning because the agency fails to acknowledge that the Alternative A route requires additional traffic to be moved through a mapped sage grouse winter concentration areas in Section 26, Township 16 North, Range 92 West, and Section 1, Township 16 North, Range 92 West, and within 1/4 of a mile of an identified sage grouse lek on the border between Section 6, Township 16 North, Range 91 West and Section 31, Township 17 North, Range 91 West. The BLM's EA completely fails to mention or analyze potential impacts to the lek from development operations or Alternative A and does not analyze whether increased traffic will impact the winter concentration area.

Response - Winter concentration areas do not include all winter habitats used by sage-grouse nor are they limited to narrowly defined "severe winter relief" habitats. Delineation of these concentration areas is based on a determination of the presence of winter habitat characteristics confirmed by repeated observations and signs of large numbers of sage-grouse. Consultation and coordination with the WGFD is required when delineating winter concentration areas. The BLM has delineated several severe winter relief areas along the proposed route for Alternative A. BLM is unaware of any designated winter concentration areas in areas affected by either alternative. The increased traffic from Alternative A will not affect greater sage-grouse winter concentration areas. Please refer to our response to comment 66.

Comment DEPC-69 - Given the BLM's statement that increased traffic on the north-west route, which is over two miles from an identified lek, will cause impacts to sage grouse, the BLM must explain how and why Alternative A does not have similar impacts.

Response - Please refer to our response to comment DEPC 66, 67 and 68.

Comments received from:

InterTech

Comment IT-1 - One item that InterTech noted in the EA was an inaccuracy in the discharge volume. Double Eagle is actually permitted to surface discharge treated water up to 12.60 MGD as approved by the Wyoming Department of Environmental Quality – Water Quality Division (WDEQ-WQD) on 12/2/2010 with the Wyoming Pollution Elimination Discharge System (WYPDES) Permit Renewal for WY0054038. The WDEQ-WQD has received primacy from the Environmental Protection Agency (EPA) to regulate these point source discharge permits.

Response - BLM understands WDEQ-WQD has approved a 12.6 million gallon per day discharge permit for DEPC. However, DEPC's right-of-way proposal to build a pipeline across BLM managed lands is under review and has not been approved. The BLM has approved surface discharge under an environmental assessment titled "*Catalina Unit CBNG Produced Water Disposal Project II*" (WY-030-07-EA-244).

Comments received from:

Anadarko Petroleum Corporation

Comment APC-1 - In the Catalina EA, BLM is essentially assuming impacts to mule deer have occurred; however, BLM does not have the scientific information to support such a conclusion.

Response - The Catalina PODs G&I environmental assessment (EA) does not assume impacts have occurred. It anticipates effects upon mule deer migration corridors and habitat usage based on their known presence within the proposal area and the nature and intensity of the actions proposed. BLM does not anticipate the collaring study to display adverse effects for PODs G&I because they are only proposed at this time and cannot cause any effects until they are in existence.

A collaring study will be used, in part, to monitor mule deer responses to PODs G&I and would help determine the accuracy of BLMs effect analysis on mule deer for the project.

Comment APC-2 - Phase II of the study is premised upon the fact that there is not yet any information regarding whether CBNG development will have an impact on mule deer migration routes. In fact, the purpose of the second phase of the study is to determine whether an impact exists; if it exists whether it is significant; if significant, should additional mitigation measures be imposed.

Response - Phase II of the study can only reveal the effects on mule deer migration from existing infrastructure and conditions within the area. The proposed development is not yet constructed and therefore has not had any effect on mule deer migration. The EA, based on the best information we have at this time, can only predict the effects of development. A Phase III study (subsequent to Phase II) will be required to demonstrate any effects to migration corridors and crucial ranges, after the proposal is approved, constructed, and in service.

Comment APC-3 - When this information is coupled with some basic facts about mule deer and the Atlantic Rim project area, it is clear that BLM's proposals in this EA to constrain access routes on the basis of impacts to mule deer or to potentially impose the additional mitigation of a construction timing restriction within migration corridors are not justified. First, mule deer migration routes in this area are not topographically constrained. There are no features that create a bottleneck that would act to limit movement of the mule deer through the Atlantic Rim project area.

Response – As disclosed in the EA, BLM wildlife biologists anticipate that the development of PODs G&I will result in mule deer avoiding well pads and related infrastructure under either alternative. Further, we anticipate mule deer migration routes and habitat usage will generally shift to the north and west of the POD locations. BLM has also consulted with Wyoming Game and Fish on this proposal and its impacts to mule deer and the WGFD is in concurrence with those conclusions. BLM agrees that the migration routes are not topographically constrained and hence the likely shift to the north and west. For this reason, in part, the BLM included the route proposed in alternative A.

Comment APC-4 - Although there may be changes to the paths mule deer use to traverse the area when moving from summer to winter range, it is possible that any such changes will not measurably affect the mule deer population.

Response - It is possible that changes to mule deer migration routes, if any, would not measurably affect mule deer populations. To determine if there are measurable effects a subsequent collaring study will be required. Discussions with, and comments from, WGFD has shown their support for the assertion that there is potential for declines in the mule deer population from this proposal.

Comment APC-5 - The enclosed map depicts mule deer migration routes through the Atlantic Rim area. Highlighted in green on the map is the route BLM proposes to reject. As is clearly seen, a large portion of the route is outside of current migration routes.

Response - BLM wildlife biologists anticipate that the proposed development of PODs G&I will result in mule deer avoiding wells and related infrastructure under either alternative. Further, we anticipate mule deer migration routes will shift from their current mapped locations to the north and west of the POD locations after the proposed PODs have been developed. The Proposed Action's northwest access route would then likely be traversed by migrating mule deer at higher levels than current. Although the collaring study did not show a collared mule deer crossed the route, BLM believes the route is being traversed by migrating mule deer at this time also. The fact that collared mule deer were not mapped crossing the route does not prove nor disprove that some portion of the herd is crossing this route when migrating.

Comment APC-6 - First, the statements cited are not supported by scientific information and are highly speculative.

Response – Literature cited in the EA can be found on pages 47 and 48. The ‘Mule Deer’ section of the Wildlife Resources section of the EA cites recent studies by Sawyer on page 36. The effects of oil and gas development are well known and predictable.

Comment APC-7 - Second, it suggests that any effect on the mule deer migration routes will result in jeopardy to the animals and further concludes that construction during the spring will result in long-term declines in population numbers. This analysis is fatally flawed and cannot be used to support a decision to adopt Alternative A.

Response - Please refer to our response to comment APC 3, 4 and 6. The EA states on page 35:

“Construction during the spring migration period would further exacerbate the additive loss of animal condition and result in higher late winter/early spring mortality or parturition failure. The loss of recruitment into a population and the mortality of adults would eventually result in long-term declines in population numbers.”

Application of additional mitigation measure 1 in the spring, as adopted by the Decision Record, will eliminate construction activities within mapped migration corridors and the adverse effects described.

Comment APC-9 - Until the completion of Phase II and issuance of the report that will be generated from the information gathered, BLM lacks any scientific answer to the question of whether mule deer migration routes have been altered and whether the routes are still functional.

Response - Please refer to our response to comment APC 2.

Comment APC-10 - If the answer is yes, then the applicable performance goal from the Atlantic Rim EIS has been met, and BLM would have no basis for imposition of additional mitigation measures. Until then, actions such as this by the BLM which presuppose an outcome are not supportable.

Response – BLM can only predict what response will happen since the project is not in existence at this time and cannot be having an effect upon mule deer at this time. In anticipating effects the BLM will use best management practices, operator committed practices, design features and other mitigations to reduce adverse impacts. The EA proposes additional mitigation measures to help reduce adverse impacts. The additional mitigation measures listed in the EA include:

Additional Mitigation Measure #1 – Restrict development activities within identified migration corridors during the periods of March 1 to May 15 and October 15 to December 15th.

Additional Mitigation Measure #2 – The use of remote sensing would be required seasonally where technically feasible.

Additional Mitigation Measure #3 – Close and reclaim roads and two track trails within the Catalina POD G&I project area.

As detailed in the Decision Record, depending on the timing of the general hunting season Additional Measure 1 will be used to limit activities disruptive to wildlife for the period November 01 to December 15th within mapped migration corridors. Additional Mitigation Measure 2 will not be adopted because it will not limit disruptive activities within the development area. The BLM monitoring team will review the POD G&I area during the 2011 field season to see if there are areas of excessive erosion that can be stabilized or reclaimed above and beyond the normal PODs G&I development activities.

Text supporting the Additional Mitigation Measures can be found on pages 45 and 46 of the EA.

Comments received from:

Wyoming Outdoor Council

Comment WOC-1 - Therefore, we request that BLM explicitly identify in the Catalina EA how it has minimized adverse environmental impacts.

Response – Catalina PODs G&I are tiered to the AREIS and Record of Decision. Both documents contain extensive details on the mitigations, operator committed practices, best management practices and other requirements for development within the ARP.

Appendices 1 and 2 in the back of the Catalina POD G&I environmental analysis (EA) contain detailed General Design Features and Site-Specific Design Features for the Proposed Action. Appendices 3 and 4 contain detailed General Design Features and Site-Specific Design Features for alternative A. These are included in the document to lay out the mitigations and conditions of approval the BLM will require both generally within the proposal area and specifically where individual sites are identified to reduce environmental impacts. The provisions in the AREIS, ROD and PODs G&I EA supplement each other.

It is important to point out that the BLM ID Team makes an on-the-ground site-specific review of each area proposed for development including the various well pads and facilities proposed. The purpose is to understand the effects of the proposal and to adapt or adjust the Proposed Action, with the operators consent, to reduce the adverse impacts of the proposal. Well pads and other facility locations are often moved to avoid a resource conflict or reduce the impact of the proposal on resources found in the specific area. Once the specific site is identified, ID Team members identify site specific design features necessary to minimize the impacts of the activities proposed for the site. Site-specific “design features” are detailed in appendices 2 and 4 of the EA. The “General Design Features” are mitigations or best management practices that are applied when a certain condition arises or is found during implementation and/or operation of the project in general. The BLM has found this is the best process to minimize the adverse effects of a proposal.

Email Comments Received and Responses

Email Comment 1

"Marcia Woolman"

01/31/2011 10:59 AM

Subject

Comment -wells in WY

It is my belief that Federal and State lands are for the use of the people, not the use of industry. This is especially true when the industry practice is not proven to be environmentally safe as is the case with these wells. Until further study is done to determine the Environmental impact to the native wildlife and fish, and more research is done on the chemicals being used and their effect on ground water, I strongly feel these permits should be denied.

Thank you.

Marcia Woolman,
3085 Burrland Lane,
The Plains, VA
20198,

Response: - Thank you for your comments.

Email Comment 2

erik eikaas
02/01/2011 07:04 AM

Subject

Double Eagle Petroleum

The development of coal bed methane wells in the Atlantic rim area should definitely be denied due to the importance of this area to wintering antelope and mule deer. Double Eagle Petroleum should not be allowed to drill in this area. In addition as Wyoming loses more land to oil and gas development we must remember that this land is for the American public.

Sincerely, Erik Eikaas

Response: - Thank you for your comments.

Email Comment 3

Patricia LAUDON
02/05/2011 08:09 AM

Subject

Catalina well sites & roads

I am in favor of the proposed 51 wellsites and the proposed access route. I think it is very arbitrary for BLM to develop an alternative for the oil and gas operator when none of BLM's staff has oil and gas experience.

You mention that the BLM Alternative Route would involve less construction than the proposed access route. I do not agree with your arbitrarily claimed "administrative site". The actual driving distance should be measured from that point in Section 22 (17N-92W) where the trucks would leave the black top road in the proposed access route, not your "administrative site". It seems pointless to make a company drive an 18 extra miles to access these wellsites. It is silly to think wildlife would be less affected by the extra driving time trucks will have to make. Why is there no discussion about the dust, noise and exhaust pollution the extra driving miles will cause? Or of the wildlife collisions that will occur with the Alternative Route?

Thank you,

Pat Laudon

Response: - Thank you for your comments. Your comments regarding the dust, noise and exhaust pollution have been addressed in the errata portion of the Decision Record.

Email Comment 4

"Phil Huss"

02/10/2011 04:48 PM

Subject

Approval of Double Eagle Proposal

Dear BLM,

I encourage you to approve Double Eagle Petroleum Company's ("the Company") proposal to develop 51 coalbed natural gas wells within the boundaries of the Atlantic Rim Project Area (ARPA). I have personally visited the ARPA site on multiple occasions, and believe that BLM has been exceptionally thorough throughout the entire process. I understand that the Company's proposal includes new roads, pipelines, and utilities, and believe that the entire proposal should be approved as submitted by the Company.

Please contact me if you have any questions or comments.

Best Regards,

Phil Huss

Response - Thank you for your comments

Email Comment 5

"Steve Degenfelder"

05/05/2011 03:54 PM

To: d75simon@blm.gov

Subject

FW: County Road 608

Dave,

I received this as a result of County Road 608 being closed to traffic a few weeks ago because of water damage. I sent the information to Dennis Carpenter.

Thanks

Steve

From: Kandis Fritz

Sent: Thursday, May 05, 2011 3:23 PM

To: Sdegenfelder@qwestoffice.net

Subject: County Road 608

Steve, As per our phone discussion a week ago, I do agree that an extra way in and out of the area now served by Carbon County Road 608 is needed. Anything I can help with to make this happen just let me know. As a safety factor another developed road in would be a benefit to all.

Thank you,

[Bill Nation](#)

Carbon County Road & Bridge Superintendent

Response - Thank you for your comments